

Iron County Register

K. D. AKE, : : : : : EDITOR.
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IRONTON, MO.,
THURSDAY, SEPT. 16, 1886.

DEMOCRATIC STATE TICKET

FOR SUPREME JUDGE:
THEO. F. BRACE,
OF MONROE COUNTY.

FOR COMMISSIONER OF PUBLIC SCHOOLS:
WM. E. COLEMAN,
OF SALINE COUNTY.

FOR JUDGE OF THE 20TH JUDICIAL CIRCUIT:
JOHN L. THOMAS,
OF JEFFERSON COUNTY.

FOR RAILROAD COMMISSIONER:
JOHN B. BREATHITT,
OF SALINE COUNTY.

FOR STATE SENATOR 24TH DISTRICT:
J. PERRY JOHNSON,
OF MADISON COUNTY.

IRON COUNTY TICKET

For Representative:
WM. T. CROCKER,
For Presiding Judge County Court:
A. W. HOLLOMAN.

For County Judge—Southern District:
JOS. G. CLARKSON.
For County Judge—Western District:
R. J. HILL.

For Prosecuting Attorney:
J. S. JORDAN.
For Collector:
SIM. E. BUFORD.

For County Clerk:
WM. A. FLETCHER.
For Circuit Clerk:
JOS. HUFF.

For Probate Judge:
F. DINGER.
For Treasurer:
WM. H. WHITWORTH.

For Sheriff:
P. W. WHITWORTH.
For Assessor:
SAM. P. REYBURN.

For Coroner:
W. N. GREGORY.
For Justice of the Peace—Arcadia Twp.:
A. BEGLEY.

For Constable—Arcadia Township:
JAS. R. HIGLEY.

IRON COUNTY REPUBLICAN TICKET

For Representative:
JNO. SCHWAL.
For Assessor:
HENRY HENDERSON.

For Coroner:
T. R. GOULDING.
For Justice of the Peace—Arcadia Twp.:
LOUIS SCHWAL.

For Constable—Arcadia Township:
THEO. RUDY.

No good Democrat in the 23d circuit will object to a Judicial Nominating Convention.

The Republican Congressional Convention for the 14th District met at Poplar Bluff last Tuesday and nominated H. C. Davidson, of Butler county for Congress.

E. E. Kirkpatrick, the late banker of Farmington, who was taken to Agency City, Iowa, several months ago, on a charge of burglary, had his trial last week and was convicted and sentenced to the penitentiary for a term of two years and a half.

The Poplar Bluff *Renovator*, a paper that is most hearty in its support of Jno. G. Wear, for Circuit Judge, makes war on W. T. League, candidate for the Legislature from Butler county, because of his "railroad record." This is what we call "gall."

The Farmers' Union, an organization which was founded in Butler county the earlier part of this year, evidently, for the purpose of swamping the Democracy of the county, has suddenly collapsed, and the Democratic nominees will go in by the usual majorities at the November election. We know of one man down there to whom this is anything but agreeable news.

The *Post-Dispatch* is virtuously severe upon a "backwoods" judge who lately imbibed a little too freely of the cup that both cheers and inebriates. We have seen and read the *P.-D.* six days in the week for so these many years, and do not now remember its catechizing a St. Louis lawyer for such an offense. Are we to infer from this that no city judge ever gets drunk and enmeshes the corporate bounds of the municipality wherein he dwelleth?

Yes, Bro. McGuire, we would rather a circuit judge would get drunk—blind, staving drunk—than go out on the hustings making political speeches. Why? Because the former error is rarely committed through premeditation, and results from a weakness of flesh which in no way compromises the heart or the integrity of the man; while we hold and do maintain that political judges lack that untainted and unshaken judicial equilibrium so necessary to their honorable position. Missouri and Missourians have had their fill of political judges. There are worse things in this world than getting drunk—Prohibitionists to the contrary notwithstanding.

Local Option in Atlanta Ga.

"There is less money in the city and State treasury; fewer business houses occupied, less people in the city; less morality; more drunkenness, more crimes and criminals, more poor people out of employment than ever before; more taxes put upon the people; more extra licenses imposed upon the merchants, and more dissatisfaction among all classes of people than ever has existed before."

After copying the foregoing from an Atlanta paper which shows what prohibition is doing for that town, the *Cape Democrat* makes the following comments, in which it just about gives expression to our sentiments.

We of course do not expect the experience of these localities to influence the advocates of the submission of a Prohibition amendment to our constitution. It is the nature of a fanatic to be blind to every argument, to reason as well as experience.

Tax Cases Before Justices of the Peace.

We have frequently been requested to publish the Supreme Court decision affecting titles to real estate under the tax-law, where the judgments against lands delinquent for taxes were taken before Justices of the Peace.

The opinion has not been published. It is voluminous, covering seventeen closely written legal cap pages, and was delivered at the April term, 1884. The style of the case is "State ex rel. Gordon, Respondent, vs. John R. Hopkins, et al., Appellants," and came from St. Clair county. Below we copy from the decision the main reasons for reversing the court below:

"It is claimed by the Attorney General that jurisdiction in such cases is given to Justices of the Peace by section 6836 Revised Statutes. This section was enacted in 1879 as an amendment to section 4, Acts of 1877, p. 386, which latter section is as follows:

SEC. 6836. Enforcement of payment of taxes by suit, etc.—If, on the first day of January, 1878 [80], any of said lands or town lots contained in said "back tax book" remain unpaid, it shall be the duty of the collector to proceed to enforce the payment of the taxes charged against such tract or lot, by suit in the courts of competent jurisdiction of the county where the real estate is situated, and for the purpose of prosecuting suits for taxes under this act, the collector shall have power, with the approval of the county court, or in such cities, the mayor thereof, to employ such attorneys as he may deem necessary, who shall receive as fees in any suit such sum, not to exceed ten per cent. of the amount of taxes actually collected and paid into the treasury, and agreed upon in writing, and approved by the county court, or in such cities, the mayor thereof, before such services are rendered, which sum shall be taxed as costs in the suit and collected as other costs, and no such attorney shall receive any fee or compensation for such services except as in this section provided; and it shall be the duty of the collector when suit shall have been commenced against any tract of land or town lot on said "back tax book," to note opposite said tract or lot such fact, also against whom suit has been commenced.

It is clear to my mind that this section neither conferred jurisdiction upon nor authorized suits to be brought before Justices of the Peace for the enforcement of the State's lien for back taxes. It simply authorized suits to be brought in the courts of competent jurisdiction of the county where the real estate bound for the tax was situated, in no way conferring upon, enlarging or restricting the jurisdiction of such courts, otherwise than by providing that they should exercise the jurisdiction already possessed without regard to the amount involved. That Justices of the Peace were not courts of competent jurisdiction in such cases, is manifest from the fact that while in the general law creating Justices of the Peace, conferring jurisdiction upon them and authorizing them to hold courts for the purpose of exercising the jurisdiction conferred, nothing is to be found empowering them to hear and determine any cause for the enforcement of a lien against real estate, except in mechanics' lien cases to a limited extent, but on the contrary a position prohibition is to be found declaring that no Justice of the Peace shall have jurisdiction to hear or try any action when the title to any lands or tenements shall come in question and be in issue nor of any directly equitable proceeding. Section 2837 Revised Statutes.

There is another view which seems to me to be conclusion of the question involved. It is this: Section 6837 Rev. Stat. provides, "that all actions commenced under the provisions of this chapter should be presented in the name of the State of Missouri at the relation of and to the use of the collector and against the owner of the property."

It follows I think from this, that in suits of this character the title to real estate is involved, because the question as to who is the owner of the land sought to be charged with the tax can only be ascertained by determining who has the title, and if the question of title is involved in such cases then Justices of the Peace have no jurisdiction to pass upon such question for the reason that in Section 2837 Rev. Stat., it is expressly declared that "no Justice of the Peace shall have jurisdiction to hear and try any action . . . where the title to any lands or tenements shall come in question and be in issue nor of any directly equitable proceeding."

Judges Sherwood and Ray concur. Hough, C. J., absent. Judge Henry filed a dissenting opinion. Judge Black subsequently concurred in the dissenting opinion of Judge Henry.

Black P. O.

Ed. Register.—Should I say anything about the drought you would think me insane, since it is known that it prevails almost everywhere.

Most localities are now characterized by chills and malarial fevers; consequently people nearly all have a look of despondency.

The farmers of this vicinity are all done sowing wheat, and "cutting tops." There will be a larger acreage of wheat sown than has been for a number of years. It is predicted, by some of our closest observers, that next year will be an excellent crop-year.

On Sunday, 5th inst., Rev. Mr. Williams, Bellevue, delivered an interesting address to a large and intelligent audience at Mary's Chapel, East Fork, preaching the funeral of old Uncle Ben McNeil. It is reported that people relatives of Uncle Ben came from a distance of 30 miles on that occasion.

"We were informed by a friend that Black had a commissioner or at least one teacher had been examined there without the trouble of going to Barnesville. We would all like very much to get out of such a long trip and get off on some easier terms."

Out-look Correspondent. Now, the first sentence of the above is a maliciously abused falsehood. There has been a great deal said about good certificates recently: One says he has the best; another that he has the second best, etc. Strange to say, too, that the parties, who have made the above assertions, carry a certificate comprising 11 branches only. I do not know what the above certificates average; be that as it may, they cannot be better than the one that comprises 16 branches, with an average of 132 points out of 100 probable questions. Black P. O. school has the last named certificate on file, and the teacher so far, has managed to keep a stable equilibrium.

The parties who attended the Baptist Association have returned, and report that the Association was a grand success; that the next will be held at Lesterville, Reynolds county.

Dr. F. Parker was at Black last week to see a patient of his, G. W. Brown's daughter. On my return from Goodland Sunday last, I met the following named ladies and gentlemen:

Mr. and Mrs. Latham, Goodland; Mr. and Mrs. Green Goggin, Howell county; Messrs. Price, Goggin and Thos. D. Shy, Edge Hill; Buck Goggin and Mrs. James Be'.

Miss Imboden opened school in the Gallaher district Monday, 8th inst., with a fairly good attendance. I have been informed that Miss I. is a highly educated, Christian lady of whom any district may be proud. A successful term is predicted in Reynolds county.

Messrs. F. Gallaher and Redmond Black, have withdrawn from the race for Assessor. Messrs. Reed and George, of Lesterville, have again returned to Black for the purpose of attending the remaining term of school.

Mr. Redmond Black and Miss Nannie Wadlow were married at the residence of the bride's parents, at Lesterville, 8th inst. May their future lives be as happy as the present, and flowers grow in their pathway.

Rev. Mr. Cobb, of Irondale, is holding a series of meetings in the Baptist church at this place. Last night he preached to an audience of 116, a very impressive sermon from the following text: "I have said, Ye are gods; and all of you are children of the Most High."

Although I have not attended regularly, I learn that his sermons have been logically connected. The impression is prevalent that should the meeting continue, a great good will be accomplished.

Mrs. Rayfield, nee Goggin, of Logan's Creek, is here on a visit to friends and relatives.

Saturday, 4th inst., I gave Mr. and Mrs. Drewery a short visit, and found them to be intelligent, entertaining people. While there I met Mr. John Drewery, Jr., who was confined to his room with chrouse erysipelas.

I have been informed that Mr. M. Eaton has been employed to take charge of the Goodland school. Mr. E. is a young man of more than ordinary intelligence, and, of course, will teach an excellent school.

Roads are in an excellent condition, in this district. The meeting has taken a quietus to "apple-cuttings" in this vicinity.

Prof. Lindsay went to Lesterville last Monday, Sept 11th, 1886.

FOR SALE—A double set of handsomely mounted, heavy barouche harness, good as new. Offered because the owner has no use for it. Price \$50. Apply at this office.

TO LOAN—\$300, for one year, at 8 per cent. on approved security. J. T. AKE, Guardian.

Geo. Carter will meet all trains at the depot with a first-class hack. Orders left at the American Hotel will receive prompt attention.

A lady desires a position as teacher; has had eight years experience; can give good reference. Address S. HAVILAND, Des Arc, Mo.

DELAND & CO'S

SODA
Best in the World.

Assignee's Sale.

To whom it may concern: Take notice that I the undersigned assignee of Phillip A. Woolley, will at the October Term, 1886, of the Circuit Court of Iron county, to wit, on

Thursday, October 28, 1886, at the front door of the courthouse, at the town of Ironton, in said county, offer for sale, at public vendue for cash, all the remaining assets, consisting of open accounts, notes and real estate of the assigned estate of said Phillip A. Woolley, a list of which will be found on file in the office of the Clerk of said court. And I will, on the 29th day of said month, apply to said court for my discharge from any further trust as assignee of said Phillip A. Woolley.

ALBERT BLAIR, Assignee.

Trustee's Sale.

Whereas, Cyrus Russell and Della M. Russell, his wife, by their deed of trust, dated the 8th day of September, 1883, and recorded in the Recorder's office of Iron county, Missouri, in book "31," page 40, conveyed to the undersigned the following described real estate, lying and being situate in the county of Iron, State of Missouri, to wit:

The east half of lots one and two in the northwest quarter of section four, in township thirty-three, north, of range four east, containing eighty acres more or less.

Which said conveyance to the undersigned was made in trust to secure payment of a certain note in said deed of trust described, and, whereas, said note has become due and remains unpaid; now, therefore, at the request of the legal holder of said note, and in pursuance of the conditions in said deed of trust, the undersigned will, on

Saturday, September 25, 1886, between the hours of 10 o'clock A. M. and 5 o'clock P. M. of said day, at the courthouse door in the city of Ironton, Iron county, Missouri, sell the above described real estate at public vendue, to the highest bidder, for cash, for the purpose of satisfying said note and the costs of executing this trust.

WM. A. FLETCHER, Trustee.

Executor's Notice

Notice is Hereby Given, That Letters Testamentary on the Estate of George W. Clarkson deceased, were granted to the undersigned, on the 24th day of August 1886, by the Probate Court of Iron County, Missouri. All persons having claims against said Estate are required to exhibit them for allowance to the executor within one year after the date of said letters, or they may be precluded from any benefit of such Estate; and if such claims be not exhibited within two years from the date of this publication, they shall be forever barred.

JOSEPH G. CLARKSON, Executor.

Danger! A neglected cold or cough may lead to Pneumonia, Consumption or other fatal disease. Strong's Pectoral Pills will cure a cold as by magic. Best thing for Croup, Hoarseness, Sore Throat, Whooping Cough, and all other lung troubles.

STRAYED OR STOLEN—From the farm of the undersigned in Bellevue, Mo., on the night of July 22d, 1886, a brown mare, 15½ hands high, and about 13 years old, in poor order, some white about hind feet, rather mealy nose and low carriage. Passes under the saddle. A suitable reward will be paid for her return or information that will lead to her recovery.

WM. MCCOLL, Bellevue, Mo.

MRS. LOPEZ HAS GONE

TO THE CITY,

TO LAY IN A NEW STOCK

MILLINERY

FANCY GOODS.

FULL PARTICULARS

NEXT WEEK.

Boatmen's SAVING BANK

ST. LOUIS.

Capital \$2,000,000!

R. J. LACKLAND, President. WM. H. THOMSON, Cashier.

J. W. EMERSON, Late Judge 15th Circuit, Attorney at Law, Ironton, Missouri.

PRACTICES in all the courts of the State. Strict and prompt attention to all business.

J. B. WALKER, Attorney at Law, Ironton, Mo.

WILL practice in the various Courts, and attend promptly to all legal business entrusted to his care. Office in Academy of Music.

J. S. JORDAN, Attorney at Law

And Notary Public, ANNAPOLIS, MO.

Office in the Store of C. Hart & Son.

BERNARD ZWART, Attorney at Law,

(COMMISSIONER U. S. CIRCUIT COURT.) Ironton, Missouri.

Pays prompt attention to collections, taking depositions, paying taxes in all counties in Southeast Missouri; to settlement of estate and partnership accounts, business at the Land Office, purchase and sale of mineral lands, and all law business entrusted to his care. Examination of land titles and conveying a specialty.

DR. A. S. PRINCE, DENTIST,

Ironton, Missouri.

TENDERS professional services to the people of this section. He will be found at all times at his office, and will give prompt attention to the demands of his patrons.

Trustee's Sale.

Whereas, Helen B. Roberson and Albion Roberson, her husband, by deed of trust dated the first day of June, 1874, and recorded in Book "Q," pages 108 and following, of the records of the office of the Recorder of the county of Iron, in the State of Missouri, conveyed to the undersigned, trustees, the following described lots or parcels of ground, situated in the County of Iron, State of Missouri; and also sold, assigned, transferred and delivered unto the undersigned trustees the following described personal property; said real estate being described as follows, viz:

First. Beginning at the northwest corner of lot number one (1) in Block "I" of the new addition to the Town of Arcadia, (the same being the lot on which the Arcadia House or Hotel is situated), thence southerly with the line between said lot one (1) and lot two (2) to the corner of lot two (2) of the same block; thence easterly with the line between said lots one and two, and with the extension of said line to the lane between Giles Russell's farm and land formerly owned by Z. J. Harris; thence northwardly with said lane to the road leading from Arcadia to Fredericktown; thence westwardly with said road to the northeast corner of lot number one (1) aforesaid; thence westwardly along Walnut street to the place of beginning; also the north half of lot number three (3) in Block "F" of said new addition, except fifteen feet off the south side of same formerly sold to Tual; also lot number two (2) in said block "F"; also all of lot number 1 in Block "F"; except ninety-nine feet off the northern part of the same extending along Walnut street from College street to Spring street; also the parcel of land on which the livery stable now stands, being the north and south halves of lot number one (1) in Block "F" aforesaid, and having a front of one hundred feet on Walnut street and running back with Spring street ninety-nine feet; also the north half of lot two (2) in Block "E"; and all that part of lot one (1) in said block and new addition not deeded to Wm. Suits by Z. J. Harris and wife, said parts of lots fronting on Main street, and extending easterly to Spring street; also the northeast part of lot number one (1) in Block "F" fronting one hundred and ninety-three feet on Walnut street, and running back on College street ninety-nine feet; also the north half of lot number two (2) in the northwest quarter of section seven in township number thirty-three (33) north of range four (4) east, containing forty-nine and 90-100 acres; also, all of lot number three (3), in Block "I" of Harris' Addition to the old town of Arcadia; also, so much of lot number two (2) in Block "I" of Harris' Addition to the old town of Arcadia, as has not been heretofore conveyed by said Harris and wife by deed of August, 1871, and recorded in book "I," page 46 of the record of deeds of Iron county, Missouri; also, the lot known as the Spring Lot; and said personal property being described as follows, viz: six extension tables and seven other tables, eighteen bureaus, twenty-eight wash-stands, thirty-five bedsteads, one hundred and sixty-one chairs, including rockers, nineteen looking glasses, ten pictures, thirteen stoves, thirty-five mattresses, fifty-five sheets, fifty pillows, twenty-two bedspreads or covers, twenty-one blankets, ten comforts or quilts, also, and in part, one range, one side board, one side board, one range, one billiard table and appurtenances, three horses, one hack, one wagon, one harness, harness and bridles, two saddles, two side saddles, two cows and two calves, two sows, four shoats, two two-horse plows, one grindstone, one wash-wringer, and, also, all curtains, crockery, glassware, all household and kitchen furniture, all knives, forks, spoons, and tableware, and all other farming utensils, goods and chattels belonging to said first named parties in, upon or out of the lands premises above conveyed, in trust, to secure the payment of certain notes in said deed described; and whereas said notes are now past due and remain unpaid. Now, therefore, at the request of the legal holder of said notes, we the undersigned trustees will sell the described property at public vendue to the highest bidder for cash at the east front door of the court house in the town of Ironton, in said county of Iron, Missouri, between the hours of ten o'clock A. M. and five o'clock P. M., on

Saturday, 18th day of September, 1886, for the purpose of said trust.

J. W. WALLACE, WM. R. DONALDSON, Trustees.